

05-07-02

DAC/\$
AHP92038P3
PATENT #5IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re of Application of: Alan R. Davis *et al.*

Serial No.: 09/457,421 Group Art No.: Not yet Assigned

Filed: December 07, 1999 Examiner: Not yet Assigned

Atty. Dkt. No.: AHP92038P3

Confirmation No.: Not yet Assigned

Customer Number: 25291

For: RECOMBINANT ADENOVIRUS VACCINES

Attention: Office of Petitions
Commissioner for Patents
Box DAC
Washington, DC 20231

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this paper and the documents referred to as enclosed therein are being deposited with the United States Postal Service on the date written below in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number ET814782511US addressed to the Commissioner for Patents, Box DAC, Washington, DC 20231.

May 3, 2002
Date

Elizabeth Backer Melick
Elizabeth Backer Melick

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)

The above-identified application became abandoned for failure to file a timely and proper reply to the Notice of Missing Parts of Application mailed January 18, 2000. The date of abandonment, July 19, 2000, is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained. The Notice of Abandonment was mailed October 10, 2000.

APPLICANTS HEREBY PETITION FOR REVIVAL OF THIS APPLICATION

1. Petition fee

☐ Small entity-fee \$ _____ (37 CFR 1.17(m)).

☒ Other than small entity – fee \$1,280.00 (37 CFR 1.17(m)). Please charge \$1,280.00 to Deposit

Account No. 01-1425. A duplicate of this Petition is enclosed.

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OFFICE OF PETITIONS

2. Reply and/or fee

- A. The reply and/or fee to the above-noted Notice of Missing Parts of Application in the form of a Response to Notice to File Missing Parts of Application:

☐ has been filed previously on
☒ is enclosed herewith.

- B. The issue fee of \$

☐ has been paid previously on
☐ is enclosed herewith

3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee of \$ _____) disclaiming the required period of time is enclosed herewith.

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137 (b) was unintentional.

Respectfully submitted,

Bill T. Brazil

Bill T. Brazil
Reg. No. 50,733
Agent for Applicants

Wyeth
Five Giralda Farms
Madison, NJ 07940
(732) 274-4843

Date: May 03, 2002